



1639
efw

LAW OFFICES OF
SYNNESTVEDT & LECHNER

2600 ARAMARK TOWER
1101 MARKET STREET
PHILADELPHIA, PA 19107-2950
TELEPHONE (215) 923-4466
FACSIMILE (215) 923-2189
E-MAIL synnlech@synnlech.com
www.synnlech.com

April 18, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ Application of K.I. Cumming and
Z. Ramtoola
Application No. 09/510,560
Filed February 22, 2000

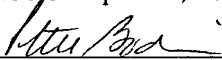
Examiner B. Celsa
Group Art Unit: 1639

Solid Oral Dosage Form Containing an Enhancer

(Attorney Docket No. P24,375-A USA)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 18, 2005.


Peter Bodine

Reply Under 37 C.F.R. § 1.146 to the
Examiner's Requirement for Species Election
As Set Forth in the Office Action Dated March 18, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply is being filed in response to the Examiner's Action dated March 18, 2005.

The Examiner has stated that Claims 1, 3, 39, 41, 42, 47, 49-86 are drawn to

a plurality of disclosed patentably distinct species comprising: (A) "DRUG" (e.g. heparin or TRH or alendronate etc.); (B) "Salt of a medium chain (C6-20) fatty acid"; and (C) Different Blend Combinations (e.g. see claim 47) comprising different "medium chain fatty acid derivatives" (e.g. "halide and/or anhydride and/or glyceride" or combinations thereof (e.g. "at the end opposite of the anhydride, an acid anhydride, acid halide, or glyceride)).

Applicants elect hereby the following species:

- (1) low molecular weight heparin as the drug;
- (2) sodium caprate as the salt of a medium chain fatty acid; and
- (3) as a single combination, sodium caprate and a halide thereof.

The following claims are readable on the elected invention: Claims 1, 3, 4 to 7, 10 to 39, 41, 42, 47, 49 to 58, 61, 62 to 66.

An early and favorable Action is requested respectfully.

Respectfully submitted,
Synnestvedt & Lechner LLP



Alexis Barron, Esquire
Registration No. 22,702

2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107-2950
Phone (215) 923-4466
Facsimile (215) 923-2189

M:\pbodine\AB\Merrion Pharmaceuticals, Inc\P24,375-A USA\replyto3-18-05officeaction.doc